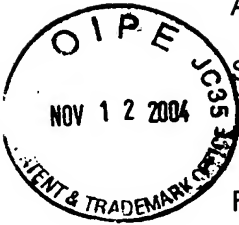500.43001X00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: NISHIKAWA et al.

Serial No.:   10/634,993

Filed: August 6, 2003

For: DATABASE SYSTEM INCLUDING CENTER SERVER
               AND LOCAL SERVERS

PETITION TO MAKE SPECIAL
UNDER 37 CFR 1.102(d) and MPEP. §708.02, VIII

Commissioner for Patents   November 12, 2004
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. Petition

Applicants hereby petition to make this application **Special**, in accordance with 37 CFR §1.102(d) and MPEP 708.02, VIII. The present invention is a new application filed in the United States Patent and Trademark Office on August 6, 2003 and as such has not received any examination by the Examiner.

2. Claims

Applicants hereby represent that all the claims in the present application are directed to a single invention. If upon examination it is determined that all the claims presented are not directed to a single invention, Applicants will make an election without traverse as a prerequisite to the granting of special status.

3. Search

Applicants hereby submit that a pre-examination search has been made by a professional searcher, (a copy of which is attached), in the following classes and subclasses:

Class	Subclass
707	102, 200, 201

Additionally, a computer database search was conducted on the USPTO systems EAST and WEST as well as database searching for foreign and non-patent literature. Examiner Hanh Thai in Class 707 (Art Unit 2171) was consulted in confirming the field of search.

4. Copy of References

A listing of all references found by the professional searcher is provided on a Form PTO-1449 and copies of the references and the Form PTO-1449 are submitted as part of an Information Disclosure Statement (IDS) filed on even date.

5. Detailed Discussion of the References and Distinctions Between the References and the Claims

Below is a discussion of the references uncovered by the search and cited in the IDS filed on even date that appear to be most closely related to the subject matter encompassed by the claims of the present application, and which discussion particularly points out how Applicants' claimed subject matter is distinguishable over those references. All other references uncovered by the search and cited in the IDS filed on even date are **not** treated in detail herein.

a. Detailed Discussion of the References

U.S. Patent Number 5,757,669 (Christie et al.) discloses a method and apparatus for workgroup information replication. It further shows a central file server or shared hard disk that is also used to store workgroup application files (see col.3, ln 20+).

U.S. Patent Number 5,974,135 (Breneman et al.) discloses a local database that can be replicated from a server to the workstation at a request, and having the copy of the replication at the local network (see col. 6, ln. 39-45).

U.S. Patent Application Publication Number 2002/0143791(Levanon et al.) discloses content deployment system, method and network, having a central management system and local servers. It further shows a central server that takes the necessary steps to replicate data to a local system (see paragraph 0087).

U.S. Patent Application Publication Number 2003/0009707 (Pedone et al.) discloses an intra-data center replication (i.e., local-area replication) or inter-data center replication (i.e., wide-area replication) capabilities (see paragraph 0003).

U.S. Patent Application Publication Number 2003/0149709 (Banks) discloses a consolidation of replicated data, having plurality of additional data processing units, having a ccess to a local replica of data resources for p erforming updates to their respective local replicas, means for consolidating and a server data processing system (see paragraph 0030).

U.S. Patent Application Publication Number 2003/0217077 (Swartz et al.)
discloses a method including storing updateable user data across a plurality of the
application servers, wherein each application server manages an associated local
storage device on which resides a local file system for storage of the user data;
receiving a point-in-time copy request from a client; freezing the local file systems of the
plurality of clustered application servers and unfreezing the local file systems of the
plurality of clustered application server (see paragraph 004).

U.S. Patent Application Publication Number 2004/0054684 (Geels) discloses
a local server connected via a communications network, to a central server with a
central database which may be connected to a plurality of other local sites. It further
shows updates performed by standard replication mechanisms of the database system
used with access to the management of adapted method possible from one of the local
workstations (paragraph 0076).

U.S. Patent Application Publication Number 2004/0139235 (Rashid et al.)
discloses a system and method for synchronizing data between a device and a remote
computer or server connected to a centralized database.

**U.S. Patent Numbers 6,263,053 (Kuftedjian et al.); 6,792,436 (Zhu et al.) and
Published Application Numbers 2001/0056554 (Chrabaszcz) and 2002/0042818
(Helmer et al.)** disclose database systems including central server and local servers.

b.   Distinctions Between the References and the Claims

The present invention as recited in the claims filed are not taught or suggested by any of the above noted references whether taken individually or in combination with each other or in combination with any of the other references now of record.

The present invention as recited in the claims is directed to a database system comprising a center server, a single or plurality of local servers, a first network for mutually connecting the center server and the local servers, local storage subsystems for storing local databases managed by the local servers, a center storage subsystem for storing replications of the local databases, a second network for mutually connecting the center server, center storage subsystem, local servers and local storage subsystems, the center server including a replication requesting means for requesting the local servers to replicate local databases and a data consolidating means for performing a process for consolidation of replicated local databases, each of the local servers including a local database freeze requesting means responsive to a database replication request to request a database management system to freeze the local database, and a database replicating means for causing the local storage subsystem to replicate, in said center storage subsystem, said local database stored in said local storage subsystem.

The above described features of the present invention, particularly a database system that includes a center server, a single or plurality of local servers, a first network for mutually connecting the center server and the local servers, and local storage subsystems for storing local databases managed by the local servers, where the center storage subsystem stores replications of the local databases and includes a replication requesting means for requesting the local servers to replicate

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local databases and a data consolidating means for performing a process for consolidation of replicated local databases, are not taught or suggested by any of the references of record whether taken individually or in combination with each other.

6.   **Fee (37 C.F.R. 1.17(i))**

The fee required by 37 C.F.R. § 1.17(i) is to be paid by:

[X]   the Credit Card Payment Form (attached) for $130.00.

[ ]   charging Account _____ the sum of $130.00.

A duplicate of this petition is attached.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (500.43001x00).

Respectfully submitted,

Antonelli, Terry, Stout & Kraus, LLP

Frederick D. Bailey
Registration No. 42,282

FDB/sdb
Enclosures